

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**In re**

**Chapter 11**

**PURDUE PHARMA, INC., *et al.*,<sup>1</sup>**

**Case No. 19-23649 (RDD)**

**(Jointly Administered)**

**Debtors.**

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**AFFIDAVIT OF DR. STEFAN MAXWELL**

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STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA, TO-WIT:

STEFAN R. MAXWELL, M.D. being first duly sworn according to law, hereby provides  
the following description of his experience as relevant the above-styled case:

1. I am over the age of eighteen years and am competent to testify as to all statements made in this Affidavit.
2. I am past Chief of Pediatrics and Medical Director of the NICU at CAMC Women and Children's Hospital in Charleston, WV. I am certified by the American Board of Pediatrics and am certified in Neonatal – Perinatal Medicine. I am a Fellow of the American Academy of Pediatrics. I have served on the West Virginia Perinatal Partnership Central Advisory Council since 2006, providing leadership as Chair of the Central Advisory Council since 2013, and have served as Chair of the Committee on Substance Use During Pregnancy for more than 14 years. I have served as a member of the Governor's Advisory Council on Substance Abuse in West Virginia since its inception in 2010. I have provided expert testimony to the West Virginia Legislature and to the Congress of the United States on substance use in pregnancy.

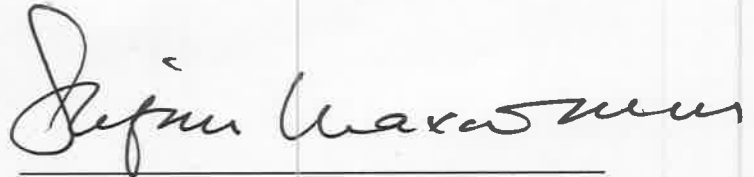
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<sup>1</sup> The Debtors in these Chapter 11 cases are: Purdue Pharma L.P., Purdue Pharma, Inc., The Purdue Frederick Company, Inc., and other Purdue related entities or individuals. For ease of reference, "Purdue" as used herein, refers to all of the Debtor entities and persons.

3. The West Virginia Birth Score / Project WATCH Program (the "Birth Score Program") was officially created by the West Virginia Legislature in 1998, but has operated in West Virginia in some form since at least 1985.
4. The Birth Score Program is administered by the West Virginia University Department of Pediatrics and was established and is funded under an agreement with the West Virginia Department of Health and Human Resources ("WVDHHR"), Bureau for Public Health, Office of Maternal, Child and Family Health.
5. The Birth Score Program collects and maintains a repository of data on infants born in West Virginia with a goal of identifying infants who are at greatest risk for health and developmental problems and ensuring that these children have access to appropriate health and special care systems.
6. In 2016, I worked with Dr. Collin John, MD, MPH, the Medical Director of the West Virginia Birth Score / Project WATCH program, and others to add information related to Neonatal Abstinence Syndrome ("NAS") to the data collected by the program.
7. NAS is caused by Intrauterine Substance Exposure ("ISE").
8. ISE and NAS occurs when a mother uses a neuroactive drug—such as a pharmaceutical opioid, like oxycodone—during her pregnancy. The fetus experiences passive exposure to the neuroactive drug during the pregnancy. When the infant is deprived of these substances through and subsequent to the birthing process, NAS may develop.
9. Data show that West Virginia has among the highest rates of infants born with NAS.
10. NAS is indisputably and indiscriminately devastating. NAS-afflicted babies may suffer birth defects, seizures, tremors, abnormal heart rate and other cardiac problems, breathlessness, fever, sleeplessness, and vomiting. NAS-afflicted babies cry inconsolably from the pain of withdrawal. Costs to care for babies with NAS can be nearly 20 times greater than costs for babies without NAS. Moreover, these problems do not "just go away" as the babies grow. These children frequently suffer physical and cognitive developmental problems. Some of these issues are permanent.
11. Every birthing hospital in West Virginia is required by West Virginia law to collect and submit data on every infant born in their respective facilities to the Program.
12. Through this process, neonatal data is collected on 99% of the infants born in West Virginia.
13. Since October 2016, the Program has collected data on infants affected by ISE, the type of substance to which the infant was exposed, and whether the infant developed NAS as a result of such exposure.

14. The rate of NAS in West Virginia is approximately 53 affected infants per 1,000 births. Approximately 1,000 NAS-affected infants are born in West Virginia each year. Accordingly, there are approximately 4,000 infants who have been born with NAS since such data started being collected in 2016.

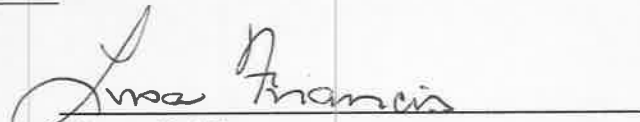
Further, Affiant sayeth naught.



Dr. Stefan Maxwell

Taken, subscribed and sworn to before me the 15<sup>th</sup> day of July, 2020.

My Commission Expires: July 30, 2022

  
Notary Public